

REMARKS

The Final Office Action mailed July 8, 2005, has been received and reviewed. Entry of the above amendment to the specification, which updates Government Rights in paragraph [0001] of the Present Application, is respectfully solicited. No new matter has been added. Claims 1 through 12 are currently pending in the application. Claims 1 through 12 stand rejected. Applicants propose to amend claim 1 to recite the presence of a lectin or hydrophobic agent in each element of the Markush group. Applicants respectfully request reconsideration of the application as proposed to be amended herein.

Supplemental Information Disclosure Statement

Applicants note the filing of a Supplemental Information Disclosure Statement herein on August 3, 2005, after the mailing date of the outstanding Office Action, and respectfully request that the information cited on the PTO/SB/08A forms be made of record herein. Should the Supplemental Information Disclosure Statement or any associated documents not be available to the Examiner, the Examiner is respectfully requested to contact Applicants' undersigned attorney, who will have the missing papers resubmitted promptly.

35 U.S.C. § 112 Claim Rejections

Claims 1 through 3 stand rejected under 35 U.S.C. § 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, to make and/or use the invention. Applicants respectfully traverse this rejection, as hereinafter set forth.

In order to expedite prosecution, the applicants propose to amend independent claim 1 to recite the presence of a lectin or hydrophobic agent in the compound described by the formula N-X-A or A-X-N. Support for the amendment can be found throughout the specification, for example, in paragraphs 35 and 78 of the specification. The amendment clarifies how the infected cells are targeted for treatment and, therefore, overcomes the rejection.

Reconsideration and withdrawal of the rejection of claims 1 through 3 are respectfully requested.

35 U.S.C. § 102(b) Anticipation Rejections

Anticipation Rejection Based on WO 97/41233 to Borgford

Claims 1 through 12 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Borgford (WO 97/41233). Applicants respectfully traverse this rejection, as hereinafter set forth.

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. *Verdegaal Brothers v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). The identical invention must be shown in as complete detail as is contained in the claim. *Richardson v. Suzuki Motor Co.*, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

In order to expedite prosecution, the applicants propose to amend independent claim 1 to recite the presence of a lectin or hydrophobic agent in the compound described by the formula N-X-A or A-X-N. Claim 1, as amended, recite the presence of a lectin or hydrophobic agent in all aspects of the Markush group. Thus, as Borgford does not describe all of the elements of claim 1 as proposed to be amended, Borgford does not anticipate the claim.

Claims 2 through 12 are allowable as depending from claim 1.

Reconsideration and withdrawal of the rejection of claims 1 through 12 are respectfully requested.

ENTRY OF AMENDMENTS

The proposed amendments to claim 1 above should be entered by the Examiner because the amendment is supported by the as-filed specification and drawings and does not add any new matter to the application. Further, the amendment does not raise new issues or require a further search. Finally, if the Examiner determines that the amendment does not place the application in condition for allowance, entry is respectfully requested upon filing of a Notice of Appeal herein.

CONCLUSION

Claims 1 through 12 are believed to be in condition for allowance, and an early notice thereof is respectfully solicited. Should the Examiner determine that additional issues remain which might be resolved by a telephone conference, the Examiner is respectfully invited to contact Applicants' undersigned attorney.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Stephen R. Christian", written in a cursive style.

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